

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



September 14, 1999

ALL-COUNTY LETTER NO: 99 - 62

TO: ALL COUNTY WELFARE DIRECTORS
IHSS PROGRAM MANAGERS**REASON FOR THIS TRANSMITTAL**

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

**SUBJECT: ESTABLISHING EMPLOYER OF RECORD FOR IN-HOME
SUPPORTIVE SERVICES (IHSS) PROVIDERS**

REFERENCE: AB 1682, ACL 98-20

This All-County Letter (ACL) provides instructions as required in one of this year's Budget Act implementation bills for social services (AB 1682, Chapter 90, Statutes of 1999). A provision of this bill adds Section 12302.25 to the Welfare and Institution Code (WIC) which states each county on or before January 1, 2003 shall act as an employer or establish an employer of record for providers under WIC 12302.2 for collective bargaining purposes.

Another provision of Section 12302.25, requires the State to develop a timetable for implementation of this requirement. In order to comply with this provision, this letter provides the timetable (Attachment 1) that counties are to use. It requires the counties to submit their first report on January 1, 2000 with additional reports due until the department receives final certification on January 1, 2003.

There is no required format for the first report. (A reporting format will be provided for the second report.) Please submit it to:

Department of Social Services
Adult Programs Branch
Operations and Technical Assistance
744 P Street, MS. 19-96
Sacramento, CA 95814

The language of this statute is complicated. Additional instructions will be issued as requirements for implementation are clarified. Questions regarding this letter can be directed to your Adult Programs Operations and Technical Assistance Analyst at 916) 229-4000.

Sincerely,

Original Signed By:
Donna L. Mandelstam

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

Attachments

ATTACHMENT 1**TIMETABLE**

The following table lists the county responsibilities and the required actions necessary for compliance:

STEPS/ ACTION	AREAS TO ADDRESS	DUE DATE
1. Preliminary Plan.	Describe the county's plan for complying with the provisions of the statute.	1/1/2000
2. Plan and Progress.	Report on the county's plan and progress. Counties may include: <ul style="list-style-type: none">• Advisory Committee• Recommendations• Structure	1/1/2001 1/1/2002
3. Actions and Decisions.	Describe county readiness for establishing employer of record by 1/1/2003 deadline.	7/1/2002
4. Certification.	Certify county is in compliance with the law.	1/1/2003